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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,037	03/19/2001	Ian E. Smith	D/A0458	9334

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EXAMINER

GODDARD, BRIAN D

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 11/17/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,037

Applicant(s)

SMITH ET AL.

Examiner

Brian Goddard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10,12-18 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10,12-18 and 20-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 26 August 2003.
2. Claims 1, 2, 4-10, 12-18 and 20-24 are pending in this application. Claims 1, 9 and 17 are independent claims. In Amendment A, claims 3, 11 and 19 were cancelled, no claims were added, and claims 1, 5, 9, 13, 17 and 21 were amended. This action is made Final.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-2, 4-10, 12-18 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,101,506 to Ukai et al. in view of U.S. Patent No. 6,238,106 to Rosati.

Referring to claim 1, Ukai discloses a system and method for organizing a plurality of objects as claimed. See Figures 1-10 and the corresponding portions of Ukai's specification for this disclosure (Refer also to Ukai's claims 1-5). In particular, Ukai teaches a method of organizing a plurality of objects [files], comprising the steps of:

receiving user selections of multiple objects [files: See Figures 8-10] from the plurality of objects [Also see column 2, lines 9-55];

creating [See Figures 8-10] a group [file-case: 'file group' or 'group of files'] from the multiple objects [Also see column 2, lines 9-55];

automatically determining the last selected object [most recently accessed/selected file] of the group, the last selected object being the object of the group that was selected by a user last [most recently];

designating [Step 1055 (See column 8, lines 11-29; column 2, line 21 – column 3, line 8; and column 23, lines 24-38)] the last selected object [example: Hitachi Catalog Vol. 5] as a representative [representative image (116) on file-case door (113)] of the group [example: Hitachi Catalog]; and

displaying [See Figures 1-2, 7 and 9] the representative of the group with the plurality of objects.

Ukai does not explicitly disclose the automatic determination of the first selected object and the designation thereof as the representative of the group. However, Ukai's system does automatically determine the last [latest] selected object [the file that was most recently selected/accessed by the user] and designate this object as the representative of the group. See column 2, line 56 et seq. for this disclosure. Thus, Ukai's system does take into account the order of selection in the designation of the representative object. Further, Ukai teaches that any of the selected objects could be designated as the representative of the group. This provides suggestion for modifying Ukai's representative selection in different manners.

Rosati discloses a system and method similar to that of Ukai, wherein selected objects [operating parameter display objects for a motor system] are grouped and

displayed by a representative. See Figures 8-9 and the corresponding portions of Rosati's specification for this disclosure. Specifically, Rosati's system automatically determines the first selected object of the group, the first selected object being the object of the group that was selected by a user first; and designates the first selected object as the first displayed representative of the group. See column 7, line 5 – column 8, line 29 of Rosati's specification for this disclosure. Rosati's motivation for designating the first selected object as the first displayed representative of the group is the likelihood that the object selected first by the user is the object that is most important or relevant to the user.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Rosati's automatic determination of the first selected object of the group into the system and method of Ukai, so as to automatically determine the first selected object and designate this object as the representative of the group. One would have been motivated to do so because of the suggestion provided by Ukai in using order of selection and allowing any object to be designated, and further because of Rosati's suggestion that the object selected first is likely the most important or relevant to the user in terms of the entire group.

Referring to claim 2, the system and method of Ukai in view of Rosati as applied to claim 1 discloses the method as claimed. See Ukai's Background and Summary of the Invention sections, as well as Figures 1-4 and the corresponding portions of Ukai's specification for this disclosure. In the broadest reasonable interpretation of the claim, Ukai (as modified by Rosati) teaches that "an object [a particular photograph (file) for

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example (See column 1, lines 36-46)] may be part of more than one group [may be in both a catalog and an album, or even in two different catalogs for example (See Figures 1-4)]” as claimed. In a more specific interpretation of the claim, Ukai (as modified by Rosati) teaches that “an object [Hitachi Catalog Vol. 3] may be part of [linked into (35)] more than one group [Hitachi Catalog and Hitachi Catalog 2]” as claimed. See Figure 4 and the corresponding portion of Ukai’s specification for this disclosure. Regardless of which interpretation is taken, Ukai v. Rosati discloses the invention as claimed.

Referring to claim 4, the system and method of Ukai in view of Rosati discloses the method as claimed. See Figures 1-2, 7 & 9 and the corresponding portions of Ukai’s specification for this disclosure. Ukai’s (as modified by Rosati) step of displaying the representative of the group “further includes not displaying the other objects of the group [See Figures 1 & 2: only the representative image 116 is displayed for each group 112], and indicating [by file-case knob (114)] that the object being displayed is a representative of the group [See Figures 1 & 7]” as claimed.

Referring to claim 5, the system and method of Ukai in view of Rosati discloses the method as claimed. See Figure 10 and the corresponding portion of Ukai’s specification for this disclosure. Ukai’s (as modified by Rosati) method further includes the steps of: “detecting [Step 1010] an additional object [newer version of a file]; and, adding [Steps 1015 – 1070 (remainder of method 1000)] the additional object to the group, responsive to the detecting step” as claimed.

Referring to claim 6, the system and method of Ukai in view of Rosati discloses the method as claimed. See Figures 1 & 7 and the corresponding portions of Ukai’s

specification for this disclosure. In particular, Ukai (as modified by Rosati) teaches that “the objects of the group may be viewed [Figures 7B & 7C] by selecting the representative [Figure 7A]” as claimed.

Referring to claim 7, the system and method of Ukai in view of Rosati discloses the method exactly as claimed. See Figures 10, 15 & 17-18 and the corresponding portions of Ukai’s specification for this disclosure. Refer specifically to the final step of Ukai’s claim 1 where Ukai (as modified by Rosati) teaches that “the representative of the group may be changed [‘when the file group is updated, changing and displaying said representative image’]” as claimed.

Referring to claim 8, the system and method of Ukai in view of Rosati discloses the method as claimed. See Figures 20-21 and the corresponding portions of Ukai’s specification for this disclosure. In particular, Ukai (as modified by Rosati) teaches the method of claim 1, as above, “wherein the objects of the group will be treated as a single object [representative file (e.g. Hitachi Catalog Vol. 5)] such that when a search is performed on the plurality of objects [Search Range: All Files] the representative will be returned [See Figure 21] if any of the objects of the group meet a search parameter [e.g. File Name (including) Catalog]” as claimed.

Claim 9 is rejected on the same basis as claim 1 above. In particular, Ukai (as modified by Rosati) teaches “an article of manufacture [computer system of Fig. 1] including an information storage medium [Main Storage 50] wherein is stored information for programming a computer [Rack Managing Program 500] to perform a

method of organizing a plurality of objects, the method comprising the steps of...[See claim 1 above]" as claimed.

Claim 10 is rejected on the same basis as claim 2 above, in light of the basis for claim 9. See the discussions regarding claims 2 and 9 above for the details of this disclosure.

Claims 12-14 are rejected on the same basis as claims 4-6 respectively, in light of the basis for claim 9 above. See the discussions regarding claims 4-6 and 9 above for the details of this disclosure.

Claim 15 is rejected on the same basis as claim 8 above, in light of the basis for claim 9. See the discussions regarding claims 8 and 9 above for the details of this disclosure.

Claim 16 is rejected on the same basis as claim 7 above, in light of the basis for claim 9. See the discussions regarding claims 7 and 9 above for the details of this disclosure.

Claim 17 is rejected on the same basis as claim 1 above. In particular, Ukai (as modified by Rosati) teaches "an apparatus [See Fig. 1] for organizing a plurality of objects, comprising:

a processor [CPU 10];

a display device [Display Unit 100] in communication with the processor; and,

a processor readable storage medium [Main Storage 50] in communication with the processor, containing process readable program code [Rack Managing Program 500] for programming the apparatus to perform...[See claim 1 above]" as claimed.

Claim 18 is rejected on the same basis as claim 2 above, in light of the basis for claim 17. See the discussions regarding claims 2 and 17 above for the details of this disclosure.

Claims 20-22 are rejected on the same basis as claims 4-6 respectively, in light of the basis for claim 17 above. See the discussions regarding claims 4-6 and 17 for the details of this disclosure.

Claim 23 is rejected on the same basis as claim 8 above, in light of the basis for claim 17. See the discussions regarding claims 8 and 17 above for the details of this disclosure.

Claim 24 is rejected on the same basis as claim 7 above, in light of the basis for claim 17. See the discussions regarding claims 7 and 17 above for the details of this disclosure.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 9 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Referring specifically to applicants' remarks on page 7 regarding independent claims 1, 9 and 17 (as amended): Applicants argued that Ukai does not teach or suggest the automatic determination of the first selected object and the subsequent designation of the first selected object as the representative.

The examiner agrees that Ukai does not explicitly teach these claim steps. However, the examiner disagrees with applicants' assertion that no suggestion is

present. Ukai's system automatically determines the last [latest] selected object, which is the object selected most recently, and designates this object as the representative of the group. This directly implies that the order of selection is a factor in the designation of the group representative, and also suggests that the order of selection can be automatically determined. Thus, all that is needed is motivation for designating the first selected object instead of the last, which is provided by Rosati in the new grounds of rejection set forth above.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goddard whose telephone number is 703-305-7821. The examiner can normally be reached on M-F, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

bdg
November 13, 2003



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100